# No. 8 STATE OF MICHIGAN

# JOURNAL OF THE

# House of Representatives

# 94th Legislature REGULAR SESSION OF 2008

House Chamber, Lansing, Wednesday, January 30, 2008.

1:30 p.m.

The House was called to order by the Speaker Pro Tempore.

The roll was called by the Clerk of the House of Representatives, who announced that a quorum was present.

Accavitti—present Acciavatti—present Agema—present Amos—present Angerer—present Ball—present Bauer—present Bennett—present Bieda—present Booher—present Brandenburg—present Brown—present Byrnes—present Byrum—present Calley—present Casperson—present Caswell—present Caul—present Cheeks—present Clack—present Clemente—present Condino—present Constan—present Corriveau—present Coulouris—present Cushingberry—present Dean—present

Dillon—present Donigan—present Ebli—present Elsenheimer—present Emmons—present Espinoza—present Farrah—present Gaffney—present Garfield—present Gillard—present Gonzales—present Green—present Griffin—present Hammel—present Hammon—present Hansen—present Hildenbrand—present Hood—present Hoogendyk—present Hopgood—present Horn—present Huizenga—present Hune—present Jackson—present Johnson—present Jones, Rick—present Jones, Robert—present Knollenberg—present

Lahti—present LaJoy—present Law, David—present Law, Kathleen—present LeBlanc—present Leland—present Lemmons—present Lindberg—present Marleau—present Mayes—present McDowell—present Meadows—present Meekhof-present Meisner—present Melton—present Meltzer—present Miller—present Moolenaar-present Moore—present Moss—present Nitz—present Nofs—present Opsommer—present Palmer—present Palsrok—present Pastor—present

Pavlov-present

Pearce—present Polidori—present Proos-present Robertson—present Rocca—present Sak—present Schuitmaker—present Scott—present Shaffer—present Sheen—present Sheltrown—present Simpson—present Smith, Alma—present Smith, Virgil—present Spade—present Stahl—present Stakoe—present Steil—present Tobocman—present Vagnozzi—present Valentine—present Walker—present Ward—present Warren—present Wenke—present Wojno—present Young—present

DeRoche—present

Rep. Tim Moore, from the 97th District, offered the following invocation:

"Heavenly Father, as we begin another day in this magnificent and historic institution, let us pause to give You the praise You so richly deserve and ask for Your guidance as we proceed. Give us the wisdom and the desire to manage well all the things that You have given us. May we use our time, talents and resources for the good of those who sent us here to represent them. Make us sensitive to the needs of those less fortunate and give us hands that are ready to help. We ask this in Your name. Amen."

# **Reports of Standing Committees**

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

#### House Bill No. 5582, entitled

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending section 203 (MCL 259.203), as amended by 2000 PA 404.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

# To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltrown, Warren, Young, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley

Nays: None

The Committee on Tax Policy, by Rep. Bieda, Chair, reported

# House Bill No. 5583, entitled

A bill to amend 2000 PA 403, entitled "Motor fuel tax act," by amending sections 30, 39, and 94 (MCL 207.1030, 207.1039, and 207.1094), section 30 as amended by 2002 PA 668 and section 39 as amended by 2006 PA 277.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltrown, Warren, Young, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Bieda, Chair, of the Committee on Tax Policy, was received and read: Meeting held on: Wednesday, January 30, 2008

Present: Reps. Bieda, Condino, Farrah, Robert Jones, Mayes, Meisner, Melton, Sheltrown, Warren, Young, Meltzer, Sheen, Pastor, Palmer, Wenke and Calley

Absent: Rep. Steil Excused: Rep. Steil

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

# Senate Bill No. 97, entitled

A bill to amend 1973 PA 116, entitled "An act to provide for the protection of children through the licensing and regulation of child care organizations; to provide for the establishment of standards of care for child care organizations;

to prescribe powers and duties of certain departments of this state and adoption facilitators; to provide penalties; and to repeal acts and parts of acts," (MCL 722.111 to 722.128) by adding sections 3f and 5h.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

# To Report Out:

Yeas: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl, Hoogendyk and Palmer

Nays: None

The Committee on Families and Children's Services, by Rep. Clack, Chair, reported

# Senate Bill No. 273, entitled

A bill to amend 1975 PA 238, entitled "Child protection law," by amending section 8 (MCL 722.628), as amended by 2006 PA 630.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl, Hoogendyk and Palmer

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Clack, Chair, of the Committee on Families and Children's Services, was received and read:

Meeting held on: Wednesday, January 30, 2008

Present: Reps. Clack, Dean, Accavitti, Hammon, Wojno, Sheen, Stahl, Hoogendyk and Palmer

# Second Reading of Bills

# House Bill No. 5584, entitled

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending sections 2, 3, 4, 5, 6, 7, 20, 30, 31, 33a, 41, 44, 50, 53, 60, 61, 62, 63, 68, and 69 (MCL 288.472, 288.473, 288.474, 288.475, 288.476, 288.477, 288.490, 288.500, 288.501, 288.503a, 288.511, 288.514, 288.520, 288.523, 288.531, 288.532, 288.533, 288.538, and 288.539), section 33a as added by 2004 PA 277.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Espinoza moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

# Third Reading of Bills

### House Bill No. 5584, entitled

A bill to amend 2001 PA 266, entitled "Grade A milk law of 2001," by amending sections 2, 3, 4, 5, 6, 7, 20, 30, 31, 33a, 41, 44, 50, 53, 60, 61, 62, 63, 68, and 69 (MCL 288.472, 288.473, 288.474, 288.475, 288.476, 288.477, 288.490, 288.500, 288.501, 288.503a, 288.511, 288.514, 288.520, 288.523, 288.530, 288.531, 288.532, 288.533, 288.538, and 288.539), section 33a as added by 2004 PA 277.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

# Roll Call No. 12 Yeas—110

Accavitti Acciavatti Agema Amos Angerer Ball Bauer Bennett Bieda Booher Brandenburg Brown **Byrnes** Byrum Calley Casperson Caswell Caul Cheeks Clack Clemente Condino Constan Corriveau Coulouris Cushingberry Dean DeRoche

Dillon Donigan Ebli Elsenheimer **Emmons** Espinoza Farrah Gaffney Garfield Gillard Gonzales Green Griffin Hammel Hammon Hansen Hildenbrand Hood Hoogendyk Hopgood Horn Huizenga Hune Jackson Johnson Jones, Rick Jones, Robert

Knollenberg

LaJoy Law, David Law, Kathleen LeBlanc Leland Lemmons Lindberg Marleau Mayes McDowell Meadows Meekhof Meisner Melton Meltzer Miller Moolenaar Moore Moss Nitz Nofs Opsommer Palmer Palsrok Pastor Pavlov

Lahti

Polidori Proos Robertson Rocca Sak Schuitmaker Scott Shaffer Sheen Sheltrown Simpson Smith, Alma Smith, Virgil Spade Stahl Stakoe Steil Tobocman Vagnozzi Valentine Walker Ward Warren Wenke Wojno Young

Pearce

Nays—0

In The Chair: Sak

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Accavitti, Agema, Amos, Angerer, Ball, Bieda, Booher, Brandenburg, Calley, Casperson, Caswell, Caul, Cheeks, Clack, Clemente, Condino, Constan, DeRoche, Elsenheimer, Emmons, Gaffney, Gonzales, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Huizenga, Hune, Johnson, Rick Jones, Knollenberg, LaJoy, David Law, Kathleen Law, LeBlanc, Meadows, Meekhof, Melton, Moolenaar, Moore, Moss, Nitz, Nofs, Opsommer, Palsrok, Pastor, Pearce, Robertson, Sak, Schuitmaker, Shaffer, Sheltrown, Simpson, Spade, Stakoe, Vagnozzi, Valentine, Ward and Wojno were named co-sponsors of the bill.

# Second Reading of Bills

#### House Bill No. 5585, entitled

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," by amending sections 10, 11, 12, 13, 15, 16, 17, 70, 90, 110, 110a, 111, 113, 114, 115, 116, 119, 125, 130, 131, 136, 137, 139, 140, 141, 142, 143, 152, and 159 (MCL 288.570, 288.571, 288.572, 288.573, 288.575, 288.576, 288.577, 288.630, 288.650, 288.670, 288.670a, 288.671, 288.673, 288.674, 288.675, 288.676, 288.679, 288.685, 288.690, 288.691, 288.696, 288.697, 288.699, 288.700, 288.701, 288.702, 288.703, 288.712, and 288.719), section 110a as added by 2004 PA 282.

Was read a second time, and the question being on the adoption of the proposed substitute (H-1) previously recommended by the Committee on Agriculture,

The substitute (H-1) was adopted, a majority of the members serving voting therefor.

Rep. Espinoza moved that the bill be placed on the order of Third Reading of Bills.

The motion prevailed.

Rep. Angerer moved that the bill be placed on its immediate passage.

The motion prevailed, a majority of the members serving voting therefor.

By unanimous consent the House returned to the order of

# Third Reading of Bills

# House Bill No. 5585, entitled

A bill to amend 2001 PA 267, entitled "Manufacturing milk law of 2001," by amending sections 10, 11, 12, 13, 15, 16, 17, 70, 90, 110, 110a, 111, 113, 114, 115, 116, 119, 125, 130, 131, 136, 137, 139, 140, 141, 142, 143, 152, and 159 (MCL 288.570, 288.571, 288.572, 288.573, 288.575, 288.576, 288.577, 288.630, 288.650, 288.670, 288.670a, 288.671, 288.673, 288.674, 288.675, 288.676, 288.679, 288.690, 288.691, 288.696, 288.697, 288.699, 288.700, 288.701, 288.702, 288.703, 288.712, and 288.719), section 110a as added by 2004 PA 282.

Was read a third time and passed, a majority of the members serving voting therefor, by yeas and nays, as follows:

#### Roll Call No. 13

#### **Yeas—110**

Accavitti Dillon Lahti Pearce Donigan LaJoy Polidori Acciavatti Agema Ebli Law. David Proos Elsenheimer Law. Kathleen Robertson Amos LeBlanc Angerer Emmons Rocca Espinoza Sak Ball Leland Farrah Schuitmaker Bauer Lemmons Gaffney Bennett Lindberg Scott Garfield Marleau Shaffer Bieda Gillard Maves Sheen Booher Brandenburg Gonzales McDowell Sheltrown Brown Green Meadows Simpson **Byrnes** Griffin Meekhof Smith, Alma Hammel Smith, Virgil Byrum Meisner Calley Hammon Melton Spade Casperson Hansen Meltzer Stahl Caswell Hildenbrand Miller Stakoe Caul Hood Moolenaar Steil Cheeks Hoogendyk Moore Tobocman Clack Hopgood Moss Vagnozzi Valentine Clemente Horn Nitz Nofs Condino Huizenga Walker Opsommer Ward Constan Hune Corriveau Jackson Palmer Warren Wenke Johnson Palsrok Coulouris Cushingberry Jones, Rick Pastor Woino Dean Jones, Robert Pavlov Young DeRoche Knollenberg

Nays—0

The House agreed to the title of the bill.

Rep. Angerer moved that the bill be given immediate effect.

The motion prevailed, 2/3 of the members serving voting therefor.

Reps. Accavitti, Acciavatti, Agema, Amos, Ball, Bauer, Bieda, Booher, Brandenburg, Calley, Casperson, Caswell, Caul, Cheeks, Clemente, Condino, Constan, Corriveau, Cushingberry, DeRoche, Elsenheimer, Emmons, Farrah, Gaffney, Garfield, Gillard, Gonzales, Green, Griffin, Hammel, Hammon, Hansen, Hildenbrand, Hoogendyk, Hopgood, Horn, Huizenga, Jackson, Johnson, Rick Jones, Knollenberg, Lahti, LaJoy, David Law, Kathleen Law, LeBlanc, Leland, Lemmons, Lindberg, Marleau, Meadows, Meekhof, Melton, Meltzer, Moolenaar, Moore, Moss, Nitz, Nofs, Opsommer, Palsrok, Pastor, Pavlov, Pearce, Proos, Sak, Schuitmaker, Shaffer, Sheen, Sheltrown, Simpson, Alma Smith, Spade, Stakoe, Steil, Vagnozzi, Walker, Ward and Wojno were named co-sponsors of the bill.

By unanimous consent the House returned to the order of

#### **Motions and Resolutions**

Reps. McDowell, Accavitti, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Caul, Condino, Constan, Dean, Farrah, Gonzales, Green, Hammel, Hammon, Huizenga, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Meadows, Moolenaar, Polidori, Rocca, Sak, Sheltrown, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Walker, Wojno, Bauer, Clack, Cushingberry, Ebli, Leland and Melton offered the following resolution:

# House Resolution No. 259.

A resolution to urge the United States Congress to renew for an extended period the federal Production Tax Credit to promote wind and renewable energy.

Whereas, Expanding domestically produced clean renewable energy is key to the future well being of Americans and the strength of the American economy. Renewable energy enhances national security by reducing dependence on foreign energy supplies, decreases environmental impacts compared to traditional energy production, helps mitigate climate change, and stimulates state and local economies; and

Whereas, Since its inception, the federal Energy Production Tax Credit (PTC) Program has been a key component in the expansion of renewable wind development across the country. The United States Congress established the PTC Program in the Energy Policy Act of 1992, to provide an inflation-adjusted 1.5 cents per kilowatt hour tax credit for electrical energy produced from new wind turbines. In 2004, the Congress expanded the credit to other renewable energy technologies, including solar, geothermal, small irrigation power, landfill gas, and biomass. A recently released study by the University of Minnesota concluded that the single most important federal incentive to invest in wind is the federal PTC; and

Whereas, Since first enacted, the PTC has been renewed or extended on five occasions. The original PTC program expired in June 1999 and was renewed in December 1999 for a two-year period. The credit expired and was renewed again in 2002 and 2004. In 2005, and most recently in 2006, the PTC was extended before it was allowed to expire; and

Whereas, The short term, start-and-stop status of the PTC discourages utilities, developers, and manufacturers from maximizing the full potential of wind and other renewable energies. Data shows that when the PTC is allowed to expire, construction of new wind farms drops precipitously. When it expired in 2003, wind development dropped by 75 percent the next year. Many wind projects have been delayed or cancelled due to uncertainty about the PTC. Failure to extend the PTC Program means that contracts will be put on hold, workers will be laid off, and the growing momentum toward developing renewable energy markets will be brought to a halt. Clearly, in these energy-challenged times, Congress should send a message to the market that it is prudent to invest in domestic wind and renewable energy. This important program should be renewed and extended until 2015 to provide the necessary stability to the private sector to plan and finance renewable energy projects; now, therefore, be it

Resolved by the House of Representatives, That we urge the United States Congress to renew for an extended period of time the federal Production Tax Credit to promote wind and renewable energy; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The resolution was referred to the Committee on Energy and Technology.

Reps. Accavitti, Ball, Bieda, Booher, Brandenburg, Brown, Byrnes, Caul, Condino, Constan, Dean, Farrah, Gonzales, Hammel, Hammon, Huizenga, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Meadows, Meekhof, Moolenaar, Palmer, Polidori, Sak, Shaffer, Sheltrown, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Cushingberry, Leland and Melton offered the following resolution:

#### House Resolution No. 260.

A resolution declaring January 30 through February 3, 2008, as American Power Boat Association Days in Michigan. Whereas, The American Power Boat Association has been based in Eastpointe for over twenty-five years; and

Whereas, The American Power Boat Association is the only internationally recognized power boat racing sanctioning body in America; and

Whereas, The American Power Boat Association National Meeting is being held at the Westin Hotel in Romulus; and Whereas, Our state has been integrally linked to power boat racing through people such as Michigan native, Clark Sintz, the Grand Rapids inventor who received patents for the earliest 2-cycle and 4-cycle marine engines in the 1890s in Michigan; and

Whereas, Fifteen American Power Boat Association sanctioned races take place in our state every year with events from in Cheboygan to North American Championships in Bay City, World Championships in Trenton; and

Whereas, The prestigious Gold Cup will be held on the Detroit River for the 100th time in July of 2008; and

Whereas, The American Power Boat Association is an integral part of our tourism industry in this state, bringing in exciting, family-oriented events that highlight our water wonderland; now, therefore, be it

Resolved by the House of Representatives, That the members of this legislative body declare January 30 through February 3, 2008 as American Power Boat Association Days in Michigan; and be it further

Resolved, That a copy of this resolution be transmitted to Governor Granholm and Members of the Legislature.

Pending the reference of the resolution to a committee,

Rep. Angerer moved that Rule 71 be suspended and the resolution be considered at this time.

The motion prevailed, 3/5 of the members present voting therefor.

The question being on the adoption of the resolution,

The resolution was adopted.

Reps. Brown, Espinoza, Accavitti, Ball, Bieda, Booher, Brandenburg, Byrnes, Caul, Constan, Dean, Farrah, Gonzales, Green, Hammel, Hammon, Horn, Huizenga, Robert Jones, Lahti, Kathleen Law, LeBlanc, Lemmons, Marleau, Meadows, Moolenaar, Palmer, Polidori, Rocca, Sak, Scott, Sheltrown, Alma Smith, Spade, Stahl, Tobocman, Vagnozzi, Valentine, Wojno, Bauer, Clack, Cushingberry, Ebli, Johnson, Leland and Melton offered the following concurrent resolution:

# House Concurrent Resolution No. 69.

A concurrent resolution to urge the United States Congress to renew for an extended period the federal Production Tax Credit to promote wind and renewable energy.

Whereas, Expanding domestically produced clean renewable energy is key to the future well being of Americans and the strength of the American economy. Renewable energy enhances national security by reducing dependence on foreign energy supplies, decreases environmental impacts compared to traditional energy production, helps mitigate climate change, and stimulates state and local economies: and

Whereas, Since its inception, the federal Energy Production Tax Credit (PTC) Program has been a key component in the expansion of renewable wind development across the country. The United States Congress established the PTC Program in the Energy Policy Act of 1992, to provide an inflation-adjusted 1.5 cents per kilowatt hour tax credit for electrical energy produced from new wind turbines. In 2004, the Congress expanded the credit to other renewable energy technologies, including solar, geothermal, small irrigation power, landfill gas, and biomass. A recently released study by the University of Minnesota concluded that the single most important federal incentive to invest in wind is the federal PTC; and

Whereas, Since first enacted, the PTC has been renewed or extended on five occasions. The original PTC program expired in June 1999 and was renewed in December 1999 for a two-year period. The credit expired and was renewed again in 2002 and 2004. In 2005, and most recently in 2006, the PTC was extended before it was allowed to expire; and

Whereas, The short term, start-and-stop status of the PTC discourages utilities, developers, and manufacturers from maximizing the full potential of wind and other renewable energies. Data shows that when the PTC is allowed to expire, construction of new wind farms drops precipitously. When it expired in 2003, wind development dropped by 75 percent the next year. Many wind projects have been delayed or cancelled due to uncertainty about the PTC. Failure to extend the PTC Program means that contracts will be put on hold, workers will be laid off, and the growing momentum toward developing renewable energy markets will be brought to a halt. Clearly, in these energy-challenged times, Congress should send a message to the market that it is prudent to invest in domestic wind and renewable energy. This important program should be renewed and extended until 2015 to provide the necessary stability to the private sector to plan and finance renewable energy projects; now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That we urge the United States Congress to renew for an extended period of time the federal Production Tax Credit to promote wind and renewable energy; and be it further Resolved, That copies of this resolution be transmitted to the President of the United States Senate, the Speaker of the United States House of Representatives, and the members of the Michigan congressional delegation.

The concurrent resolution was referred to the Committee on Energy and Technology.

#### Announcement by the Clerk of Printing and Enrollment

The Clerk announced that the following bills had been printed and placed upon the files of the members on Wednesday, January 30:

Senate Bill Nos. 1063 1064 1065

# **Reports of Standing Committees**

The Committee on Judiciary, by Rep. Condino, Chair, reported

# House Bill No. 4872, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," (MCL 750.1 to 750.568) by adding section 135a. With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Stakoe and Rick Jones

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

# House Bill No. 4873, entitled

A bill to amend 1927 PA 175, entitled "The code of criminal procedure," by amending section 16g of chapter XVII (MCL 777.16g), as amended by 2002 PA 630.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

#### To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Warren, Schuitmaker, David Law, Stakoe and Rick Jones

Nays: None

The Committee on Judiciary, by Rep. Condino, Chair, reported

# House Bill No. 5041, entitled

A bill to amend 1931 PA 328, entitled "The Michigan penal code," by amending section 520c (MCL 750.520c), as amended by 2006 PA 171.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

# To Report Out:

Yeas: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Virgil Smith, Warren, Schuitmaker, David Law, Stakoe and Rick Jones

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Condino, Chair, of the Committee on Judiciary, was received and read:

Meeting held on: Wednesday, January 30, 2008

Present: Reps. Condino, Coulouris, Bieda, Corriveau, Meadows, Meisner, Scott, Virgil Smith, Warren, Schuitmaker, David Law, Stakoe and Rick Jones

Absent: Reps. Elsenheimer and Rocca Excused: Reps. Elsenheimer and Rocca

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **House Bill No. 5189, entitled** 

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending sections 43537, 74117, and 83106 (MCL 324.43537, 324.74117, and 324.83106), section 43537 as amended by 1996 PA 585, section 74117 as amended by 2006 PA 477, and section 83106 as amended by 2004 PA 587.

With the recommendation that the substitute (H-2) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Polidori, Brown, Dean, Lemmons, Sheltrown, Emmons, Garfield and Horn

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported **House Bill No. 5632, entitled** 

A bill to provide for family military leave from employment for certain relatives of an individual called to active military service; to prohibit retaliation; and to prescribe remedies.

With the recommendation that the substitute (H-1) be adopted and that the bill then pass.

The bill and substitute were referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Polidori, Brown, Dean, Lemmons, Sheltrown, Emmons, Garfield and Horn

Nays: None

The Committee on Military and Veterans Affairs and Homeland Security, by Rep. Polidori, Chair, reported Senate Bill No. 751, entitled

A bill to amend 1984 PA 431, entitled "The management and budget act," by amending section 261 (MCL 18.1261), as amended by 2006 PA 622.

Without amendment and with the recommendation that the bill pass.

The bill was referred to the order of Second Reading of Bills.

#### Favorable Roll Call

To Report Out:

Yeas: Reps. Polidori, Brown, Dean, Lemmons, Sheltrown, Emmons, Garfield and Horn

Nays: None

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Polidori, Chair, of the Committee on Military and Veterans Affairs and Homeland Security, was received and read:

Meeting held on: Wednesday, January 30, 2008

Present: Reps. Polidori, Brown, Dean, Lemmons, Sheltrown, Emmons, Garfield and Horn

Absent: Rep. Pastor Excused: Rep. Pastor

#### COMMITTEE ATTENDANCE REPORT

The following report, submitted by Rep. Cushingberry, Chair, of the Committee on Appropriations, was received and read: Meeting held on: Wednesday, January 30, 2008

Present: Reps. Cushingberry, Gillard, Bauer, Bennett, Byrnes, Cheeks, Espinoza, Gonzales, Hammel, Hood, Lahti, LeBlanc, McDowell, Sak, Alma Smith, Spade, Vagnozzi, Acciavatti, Caswell, Shaffer, Brandenburg, Amos, Booher, Hansen, Proos, Agema, Moss and Nofs

Absent: Reps. Jackson and Caul Excused: Reps. Jackson and Caul

# Messages from the Senate

#### Senate Bill No. 568, entitled

A bill to amend 1967 PA 281, entitled "Income tax act of 1967," by amending section 30 (MCL 206.30), as amended by 2007 PA 154.

The Senate has passed the bill.

The bill was read a first time by its title and referred to the Committee on Commerce.

#### **Introduction of Bills**

Reps. Young, Jackson and Scott introduced

#### House Bill No. 5670, entitled

A bill to amend 1999 PA 212, entitled "An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion," by amending section 2 (MCL 15.602).

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Rep. Johnson introduced

# House Bill No. 5671, entitled

A bill to amend 1999 PA 212, entitled "An act to restrict certain governmental entities from requiring individuals to reside within certain geographic areas or specified distances or travel times from their place of employment as a condition of employment or promotion," by amending section 2 (MCL 15.602).

The bill was read a first time by its title and referred to the Committee on Intergovernmental, Urban and Regional Affairs.

Reps. Knollenberg, Dean, Moss, Hoogendyk, Shaffer, Palmer and Agema introduced

# House Bill No. 5672, entitled

A bill to amend 1964 PA 154, entitled "Minimum wage law of 1964," by amending section 14 (MCL 408.394), as amended by 2006 PA 373.

The bill was read a first time by its title and referred to the Committee on Labor.

Rep. David Law introduced

#### House Bill No. 5673, entitled

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 7212 (MCL 333.7212), as amended by 2002 PA 710.

The bill was read a first time by its title and referred to the Committee on Health Policy.

Rep. Cushingberry introduced

# House Bill No. 5674, entitled

A bill to make, supplement, and adjust appropriations for various state departments and agencies for the fiscal year ending September 30, 2009; and to provide for the expenditure of the appropriations.

The bill was read a first time by its title and referred to the Committee on Appropriations.

# Announcements by the Clerk

January 29, 2008

Received from the Auditor General a copy of the following audit report and/or report summary: Performance audit of Commercial Vehicle Enforcement, Michigan Department of State Police, January 2008.

Richard J. Brown Clerk of the House Rep. Schuitmaker moved that the House adjourn. The motion prevailed, the time being 2:55 p.m.

The Speaker Pro Tempore declared the House adjourned until Thursday, January 31, at 12:00 Noon.

RICHARD J. BROWN Clerk of the House of Representatives